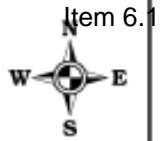




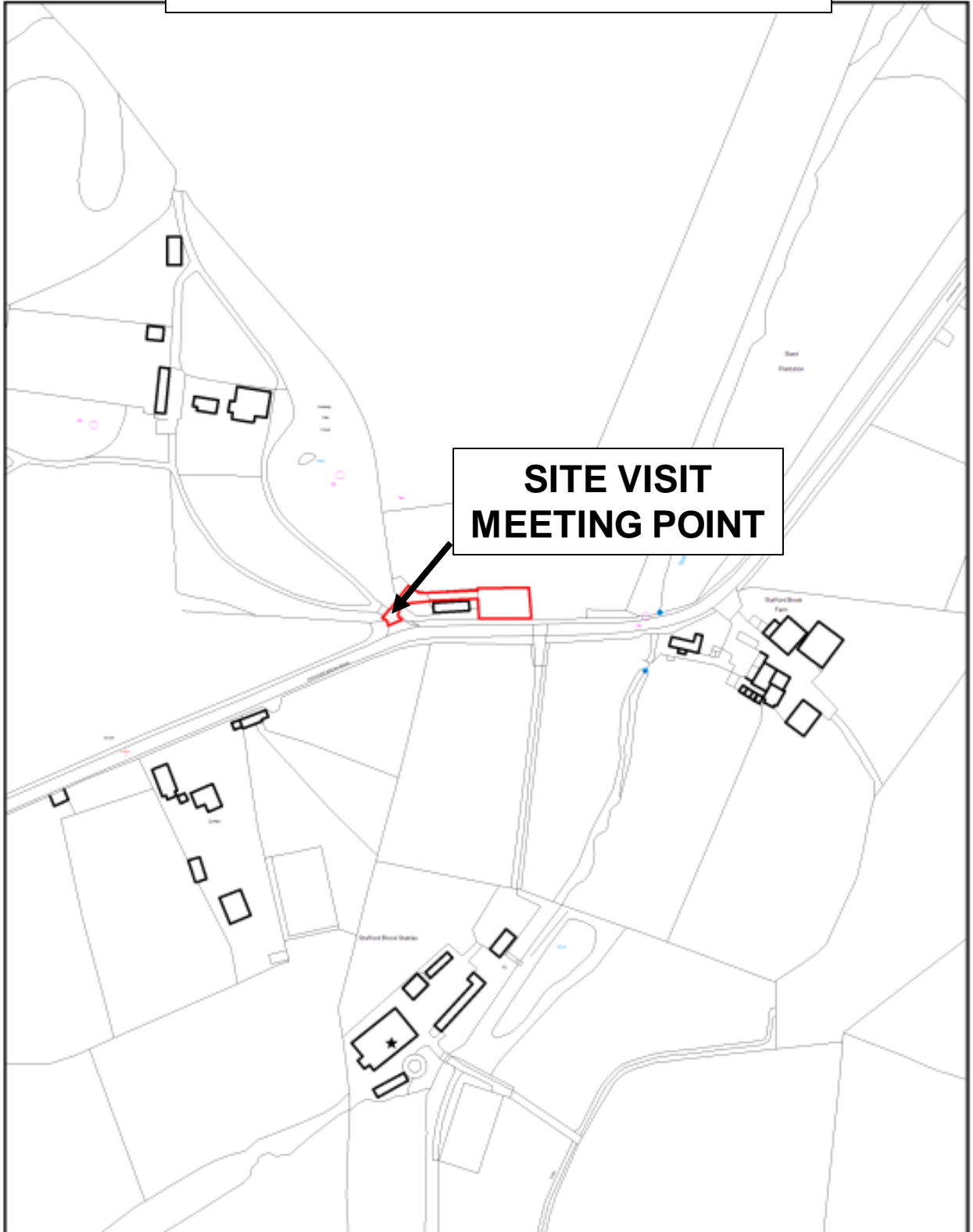
Application No: CH/22/0002

Location: Field Opposite Stafford Brook Farm, Stafford Brook Road, Rugeley, WS15 2TU

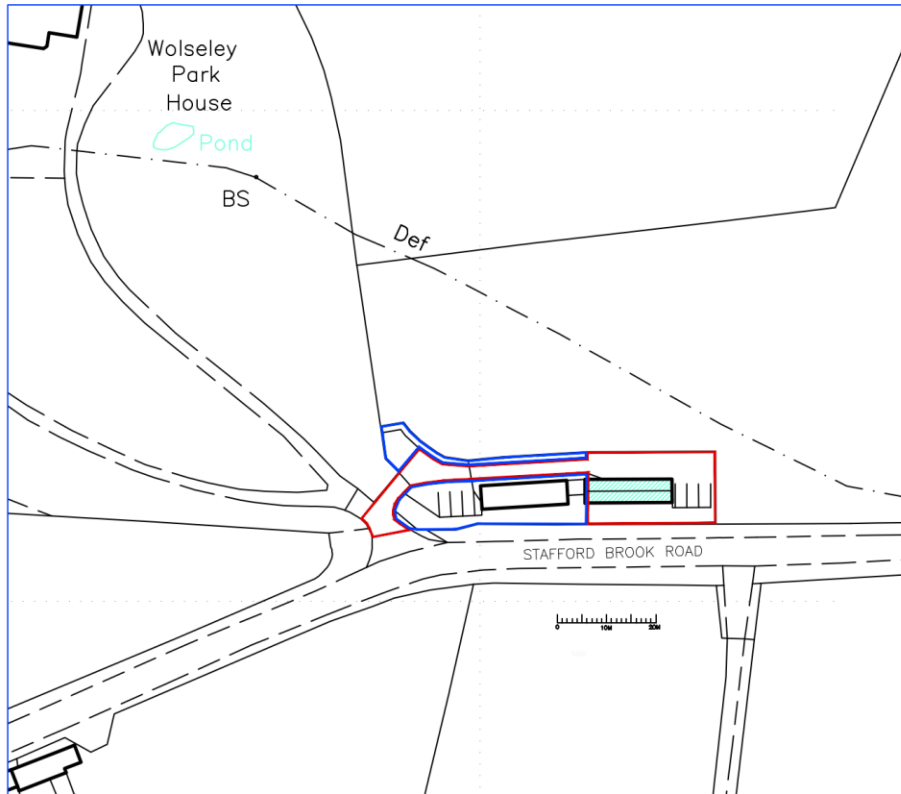
Proposal: Proposed stables



Item 6.1



Location Plan and Site Plan



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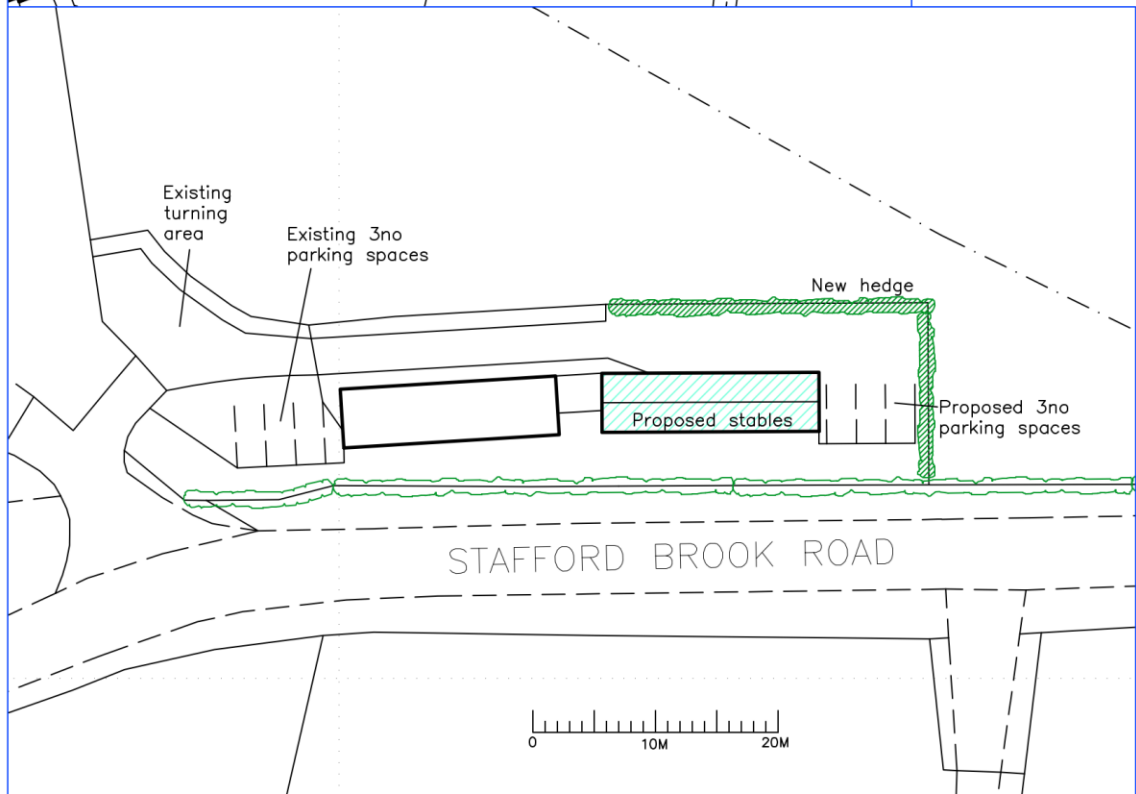
RALPH POOLE
PROJECT
PROPOSED STABLES
FIELD ADJOINING
Wolsey Park House
Stafford Brook Road
Rugeley WS15 2TU
DEC 2021



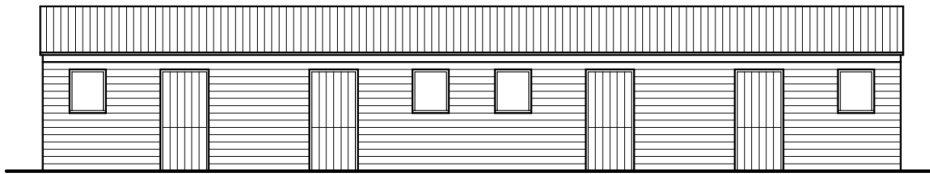
location plan
1:1250
Plotted at A4

REV A
Proposed + extg car
parking added 01.03.2022

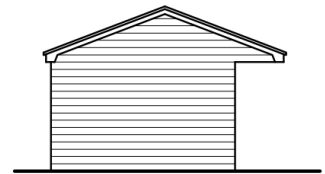
site plan
1:500



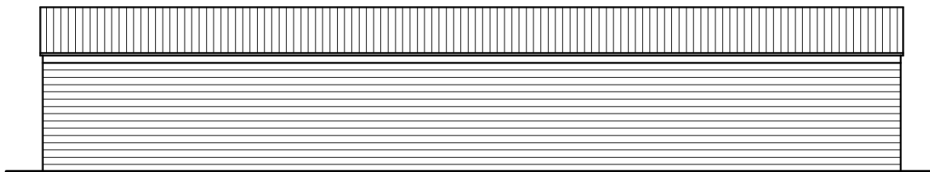
Proposed Floor Plans and Elevations



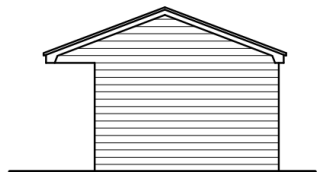
FRONT ELEVATION 1:100
Felt shingles to pitched roof, horizontal timber stained boarding walls, windows and doors



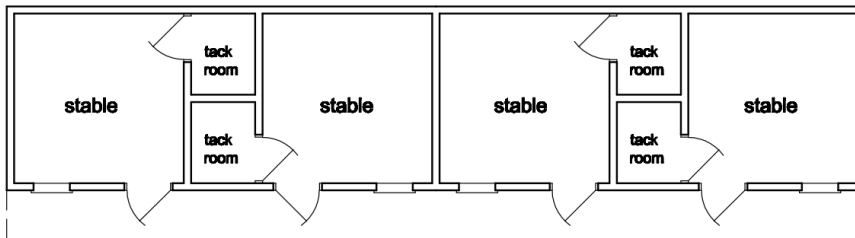
SIDE ELEVATION 1:100



REAR ELEVATION 1:100



SIDE ELEVATION 1:100



FLOOR PLAN 1:100



Plotted at A4
John Heminsley
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RALPH POOLE
PROJECT
PROPOSED STABLES
FIELD ADJOINING
Wolsley Park House
Stafford Brook Road
Rugeley WS15 2TU
DEC 2021
dr no
2021:151:02

Contact Officer: Claire Faulkner

Telephone No: 01543 464528

Planning Control Committee

8 June 2022

Application No: CH/22/0002

Received: 06-Jan-2022

Location: Field Opposite stafford brook farm, Stafford brook Road, Rugeley, WS15 2TU

Parish: Brindley Heath CP

Ward: Etching Hill and The Heath

Description: Proposed stables

Application Type: Full Planning Application

This case was reported to Planning Control Committee on 11th May 2022 when it was resolved: -:

(A) That the application be deferred to enable a site visit to be held at 2:15pm on 8th June 2022

(B) That the application be brought back to the Planning Control Committee on 8 June 2022.

RECOMMENDATION:

Approve Subject to Conditions

Reason(s) for Recommendation:

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and the National Planning Policy Framework.

Conditions (and Reasons for Conditions):

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this

permission is granted.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Site Plans: Revision A
Floor Plan and elevations: 221:151.02

Reason

For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall not be brought into use until commence until the parking and turning areas have been provided in accordance with the approved "site plan" and shall thereafter be retained for the lifetime of the development.

Reason

To comply with the objectives and policies contained within the NPPF and in the interests of highway safety.

4. The development hereby approved shall be used solely for the purposes described within the application ie stabling of horses and it shall not be used in conjunction with any events, shows or gymkhanas.

Reason

To ensure that there is adequate parking facilities in the interests of highways safety.

5. No part of the development hereby approved shall commence until a scheme detailing the proposed new native hedging (scheme to include species type, height/ specification and protective fencing) has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented by the end of the first planting season following completion of the development.

Reason

In the interest of visual amenity of the area and in accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

6. No materials shall be used for the external surfaces of the development other than those specified on the application. No development shall be commenced until a scheme for the staining of the wooden elements of the stable has been submitted to and approved in writing by the Local Planning Authority. The

stables shall not be occupied until the works comprising the approved scheme have been undertaken.

Reason

In the interests of visual amenity and to ensure compliance with Local Plan Policies CP3, CP15, CP16, RTC3 (where applicable) and the NPPF.

Consultations and Publicity

Internal Consultations

None.

External Consultations

Cannock Chase AONB Unit:

The site lies within the AONB adjacent to Stafford Brook Road. The site is adjacent to an existing timber stable building close to the highway boundary hedge. The site falls within the Landscape Character Type Sandstone Hills and heaths, typified by undulating topography, well wooded with a strong sense of enclosure. The local area is well wooded alongside Stafford Brook to the north, and plantation woodland clothes higher ground to the west. A tall hedge is directly to the south of the site alongside Stafford Brook Road. There are limited rights of way in the area and therefore limited views of the proposal. Bridleway Colwich 2 offers potential views of the site, and the proposal would be seen in association with the existing stables, set in front of tall hedgerow

The proposal is for a timber stables 17.7m x 3.8m, with a pitch height of 3.4 metres, constructed of stained timber boarding walls and felt roof, concrete hardstanding and perimeter fence, adjacent to a similar stable building. New native species hedge is proposed on the eastern and northern site boundaries.

AONB Issues:

The main issues for the AONB: The impact of the proposed development on the landscape and scenic beauty of the AONB

Stafford Brook Road is a gateway into the AONB and therefore this is a sensitive location, however the roadside hedge to the south of the site is higher the existing stables and therefore views from the south are limited by the hedge. The proposal is for a timber stable building; similar in length and height and set apart from the existing block. The horizontal extent of development could be reduced these were located closer together, reducing detrimental effect on the openness of the Green Belt and impacts on the AONB. I recommend the timber is stained in a recessive colour to be agreed via a condition.

The proposed hedge around the area of hardstanding is welcomed. In the long term this should be maintained to a suitable height to help the development be assimilated

into the landscape and deliver biodiversity benefits, and the roadside hedge maintained above the height of the stable buildings. Wild privet is not ecologically appropriate in the AONB I therefore suggest Hazel as an alternative.

Subject to the above the AONB has no objection to the application.

Travel Management and Safety

Revised Recommendation Summary: Approval with condition -

“Comments on information submitted; The applicant has submitted a revised plan showing parking for three vehicles and has stated the stables will not be used for events.

Recommendations: There are no objections on Highway grounds to the proposed development subject to the following condition being included on any approval:-

1. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with approved 'site plan' and shall thereafter be retained for the lifetime of the development.

Reasons

To comply with the objectives and policies contained within the NPPF

In the interest of highway safety”

Brindley Heath Parish Council:

“The additional information has been considered by the Parish Council’s Planning Committee, but objections continue to be raised for the following reasons:

1. An additional stable block next to the existing structure will further exacerbate the negative impact on the landscape character of the AONB and the openness of the Green Belt.
2. Two sizable stable blocks, both in close proximity to the road, will be unacceptable in combined mass and scale, creating the appearance of a large industrial operation in the AONB.
3. There are already some six stables along Stafford Brook Road, with a very large establishment across the road.
4. The increased use of the site entrance which is located on an extremely dangerous bend is concerning. Access from the west is hazardous as the driveway from this direction turns back on itself requiring a 45 degree approach. To add to the risk, there is a stable complex located almost opposite the entrance and Stafford Brook Road is a busy lorry route used by very large HGV’s travelling to and from Rugeley Quarry.”

Rugeley Town Council:

“Rugeley Town Council considered this application and have concerns that the proposed development may be the forerunner of future housing application on the site. The Town Council recommends that a site visit be undertaken by the cabinet to satisfy themselves that the development of stables - should it be approved - be tied to that use only and not be able to be converted to housing at a future date.”

Response to Publicity

The application has been advertised by site notice and neighbour letter. No letters of representation have not been received.

Relevant Planning History

CH/13/0294: Erection of livery stables – Withdrawn. 01/07/2014.

CH/18/073: Stable building and hardstanding - full approval with Conditions.
05/09/2018

1 Site and Surroundings

- 1.1 The application site comprises of an area of land (approx. 270 sqm) that forms part of a grassed open field, adjacent to an existing timber stable building close to Stafford Brook Road (this is also owned/controlled by the applicants). At the boundary of the site there is a substantial hedge next to the highway. The current stable block has parking for 3 vehicles.
- 1.2 The site falls within the Landscape Character Type Sandstone Hills and heaths, typified by undulating topography, well wooded with a strong sense of enclosure. The local area is well wooded alongside Stafford Brook to the north, and plantation woodland clothes higher ground to the west. A tall hedge is directly to the south of the site alongside Stafford Brook Road. There are limited rights of way in the area and therefore limited views of the proposal. Bridleway Colwich 2 offers potential views of the site, and the proposal would be seen in association with the existing stables, set in front of tall hedgerow.
- 1.3 The site falls within an Area of Outstanding Natural Beauty, the Green Belt, a Mineral Consultation Area and a Coal Authority Low Risk Area.

2 Proposal

- 2.1 The applicant is seeking permission for a timber stable block measuring 17.7m x 3.8m, with a shallow dual pitched roof, 3.4 metres to ridge. This would provide stabling for 4 horses. It would be constructed of stained timber horizontal

boarding walls and felt roof, concrete hardstanding and perimeter fence, adjacent to a similar stable building. New native species hedge is proposed on the eastern and northern site boundaries. Three additional parking spaces are proposed to the east of the site.

- 2.2 The applicant has confirmed the proposed building would only be used for stabling of horse and would not be used in conjunction with events, shows or gymkhanas.

3 **Planning Policy**

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan Part 1(2014), and the Minerals Local Plan for Staffordshire (2015 – 2030).

Cannock Chase Local Plan (Part 1)

Relevant policies within the Local Plan include: -

CP3 - Chase Shaping – Design

Relevant policies within the minerals plan include: -

Policy 3: - Safeguarding Minerals of Local and National Importance and Important Infrastructure

There are no policies relevant to the proposal within the Minerals Plan.

Neighbourhood Plan

There is no adopted Neighbourhood Plan.

3.3 National Planning Policy Framework

- 3.4 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.

- 3.5 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

- 3.6 Relevant paragraphs within the NPPF include paragraphs: -

| | |
|---------------------|--|
| 8: | Three dimensions of Sustainable Development |
| 11-14: | The Presumption in favour of Sustainable Development |
| 47-50: | Determining Applications |
| 111: | Highway Safety and Capacity |
| 126, 130, 132, 134: | Achieving Well-Designed Places |
| 218, 219: | Implementation |
| 174-188: | Conserving & Enhancing the Natural Environment |
| 137-151 | The Green Belt |

3.7 Other relevant documents include: -

- (i) Design Supplementary Planning Document, April 2016.
- (ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- (iii) Manual for Streets.

4.0 **Determining Issues**

4.1 The determining issues for the proposed development include: -

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity.
- iv) Impact on highway safety.

4.2 Principle of the Development

4.2.1 The proposed development is located within land designated as an Area of Outstanding Natural Beauty and Green Belt, wherein the case of the latter, there is a presumption against inappropriate development, which should only be approved in 'very special circumstances'. Paragraph 147 of the NPPF states that the Government attaches great importance to Green Belts, adding that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. As such the essential characteristics of Green Belts are their openness and permanence.

4.2.2 The stages in taking decisions on applications within the Green Belt are as follows.

In the first instance a decision has to be taken as to whether the proposal constitutes appropriate or inappropriate development.

If the proposal constitutes inappropriate development then it should not be allowed unless the applicant has demonstrated that ‘very special circumstances’ exist which would justify approval.

If the proposal is determined to constitute appropriate development then it should be approved unless it results in significant harm to acknowledged interests.

- 4.2.3 Local Plan Policy CP1 & CP3 require that development proposals at locations within the Green Belt must be considered against the NPPF and Local Plan Policy CP14. Local Plan Policy CP14 relates to landscape character and the AONB rather than to whether a proposal constitutes appropriate or inappropriate development.
- 4.2.4 Whether a proposal constitutes inappropriate development is set out in Paragraphs 149 & 150 of the NPPF. Paragraph 149 relates to new buildings (which is not relevant in this case) whereas Paragraph 150 relates to other forms of development, including the making of material changes of use of land.
- 4.2.5 The NPPF at paragraph 149 states that:
- “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are [amongst other things]:
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- 4.2.6 The proposals for horse stabling are considered to constitute an appropriate facility for outdoor sport and recreation. By definition, stabling is connected to fields/ pasture and are common features within many Green Belts and AONB’s. In this instance there is already a stable adjoining the application site and there is a substantial screen of mature trees/hedging on Stafford Brook Road. Given this context it is considered that the proposed stables would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it as required by the NPPF.
- 4.2.7 In light of the NPPF, together with the Development Plan, it is considered that the principal of the development is acceptable in this instance subject to the considerations set out below.
- 4.3 Design and the Impact on the Character and Form of the Area
- 4.3.1 In respect to issues in relation to design Policy CP3 of the Local Plan requires that, amongst other things, developments should be: -

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
- (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132, 134. Paragraph 126 makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

4.3.3 Paragraph 130 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.3.4 Paragraph 134 states

‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally

in an area, so long as they fit in with the overall form and layout of their surroundings.’

4.3.5 Paragraphs 174 and 176 of the NPPF state:

174. Planning policies and decisions should contribute to and enhance the natural and local environment by [amongst other things]:

(a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.

4.3.6 In this instance the proposed building would be almost identical in size and appearance to the adjacent stable also owned/controlled by the applicant. The height would be modest (3.4m to ridge) and the proposed external materials of horizontal stained boarding with a felt shingle roof are considered appropriate to the rural location in the Green Belt and AONB.

4.3.7 There is an existing mature line of landscaping and hedging fronting Stafford Brook Road and this would mostly screen the site from a public area. The proposed hedge planting to the northern and eastern boundaries is welcome and in the event of approval being granted, it should be a condition of any permission.

4.3.8 Whilst the concerns of the Parish Council are noted in respect of the appearance of the proposed stable, it is noted that subject to conditions the AONB Unit has no objections; and that the appearance of the stables would not be unduly imposing in terms of mass or scale when seen in the context of existing development or that it would not have any significant negative impact on the landscape character of the AONB.

4.3.9 Having regard to the NPPF, the Development Plan and the Design SPD, on balance it is considered that the proposed stables would cause no significant demonstrable harm to the character and form of the AONB.

4.4 Impact on Residential Amenity

4.4.1 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes onto

include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.

4.4.2 Paragraph 130(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.

4.4.3 There are no residential properties in the vicinity of the application site and as such the proposal would be in accordance with Policy CP3 of the Local Plan and paragraph 130(f) of the NPPF.

4.5 Impact on Highway Safety

4.5.1 Paragraph 111 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.5.2 The objection of the Parish Council to the proposed development on highway grounds is noted, however there are no objections to the proposals from the County Council's Travel Management and Safety Team, subject to a condition requiring the three parking spaces to be provided prior to the proposed stables being brought into use.

4.5.3 In the absence of any quantifiable or demonstrable highway concerns, it is considered that there would be no unacceptable impact on highway safety or the road network, subject to the conditions above.

4.6 Mineral Safeguarding

4.6.1 Part of the site falls within a Mineral Safeguarding Area (MSAs). Paragraph 212, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), aim to protect mineral resources from sterilisation by other forms of development.

4.6.2 Policy 3.2 of the Minerals Local Plan states that:

'Within a Mineral Safeguarding Area, non-mineral development except for those types of development set out in Appendix 6, should not be permitted until the prospective developer has produced evidence prior to determination of the planning application to demonstrate:

- a) the existence, the quantity, the quality and the value of the underlying or adjacent mineral resource; and
- b) that proposals for non-mineral development in the vicinity of permitted mineral sites or mineral site allocations would not unduly restrict the mineral operations.

4.6.3 The development would fall under Item 1 within the exemption list as an application for householder development and is therefore permitted. As such the proposal is compliant with Policy 3 of the Minerals Local Plan.

4.7 Other Issues raised by the Applicant

4.7.1 As to “Rugeley Town Council’s concerns that the proposed development may be the forerunner of future housing application on the site it is noted that this application has to be determined on its own merits. Any subsequent proposal for residential development would have to be considered on its own merits at that time. As such no weight should be attributed to the concerns of Rugeley Town Council.

5.0 **Human Rights Act 1998 and Equality Act 2010**

Human Rights Act 1998

5.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to approve the application accords with the adopted policies in the Development Plan which aims to secure the proper planning of the area in the public interest.

Equality Act 2010

5.2 It is acknowledged that age, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation are protected characteristics under the Equality Act 2010.

By virtue of Section 149 of that Act in exercising its planning functions the Council must have due regard to the need to:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

It is therefore acknowledged that the Council needs to have due regard to the effect of its decision on persons with protected characteristics mentioned.

Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equality Act.

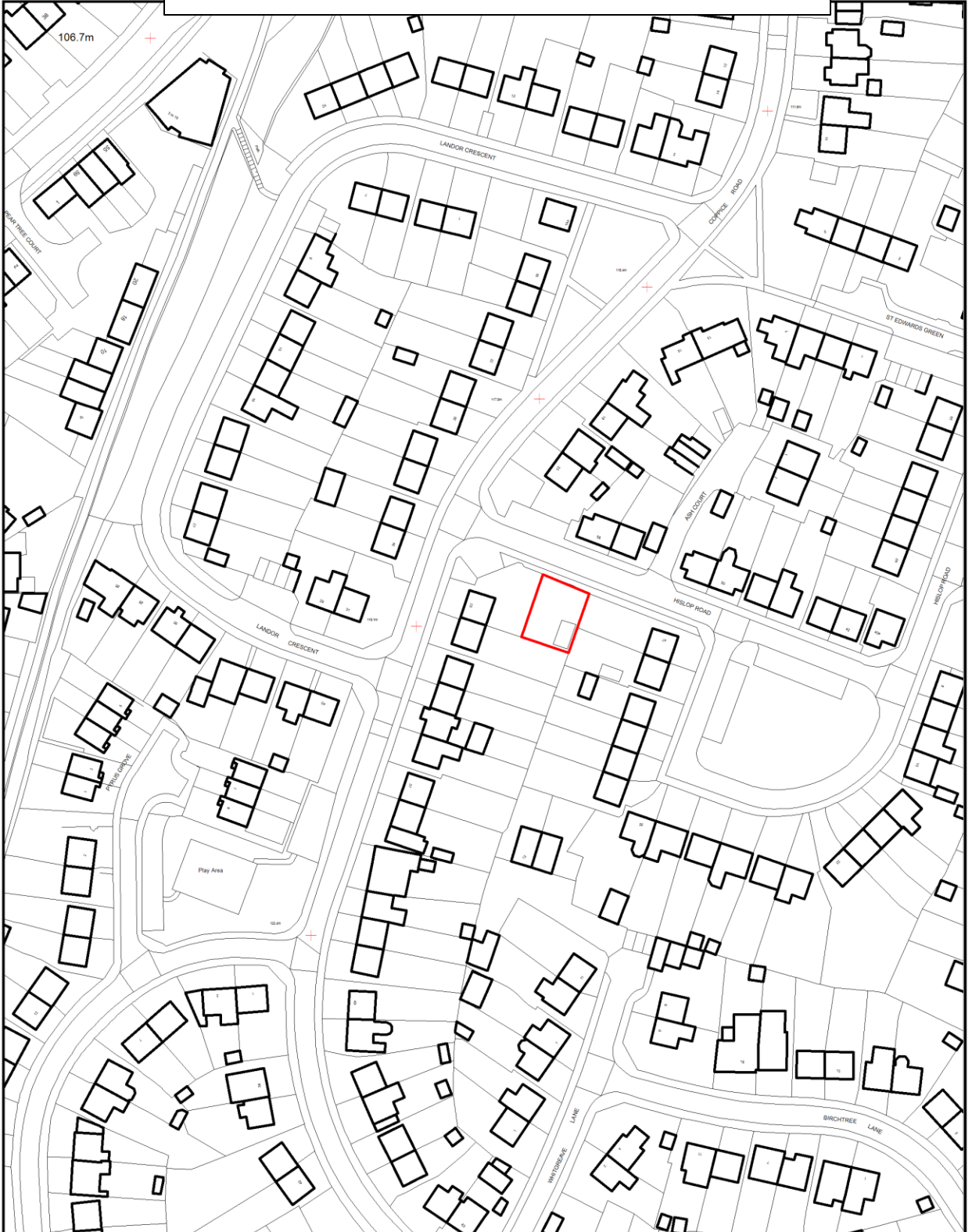
6.0 **Conclusion**

- 6.1 In respect of all matters of acknowledged interest and policy tests, it is considered that the proposal, subject to conditions, would not result in any significant harm to acknowledged interests and is therefore considered in accordance with the Development Plan.
- 6.2 It is therefore recommended that the application be approved subject to the attached conditions.

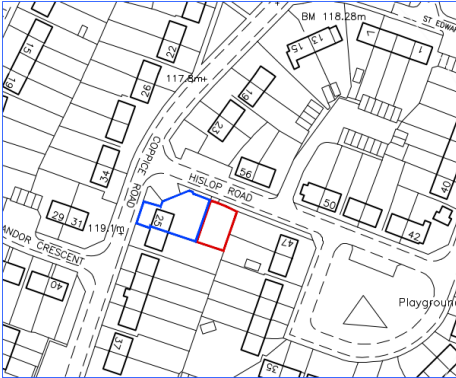


Application No: CH/22/0048
Location: 25, Coppice Road, Rugeley, WS15 1LT
Proposal: Proposed erection of 3 bedroomed detached dwelling

Item 6.17



Location Plan and Site Plan



location plan
1:1250

REVISIONS
REV A
General revisions 05.40.2022



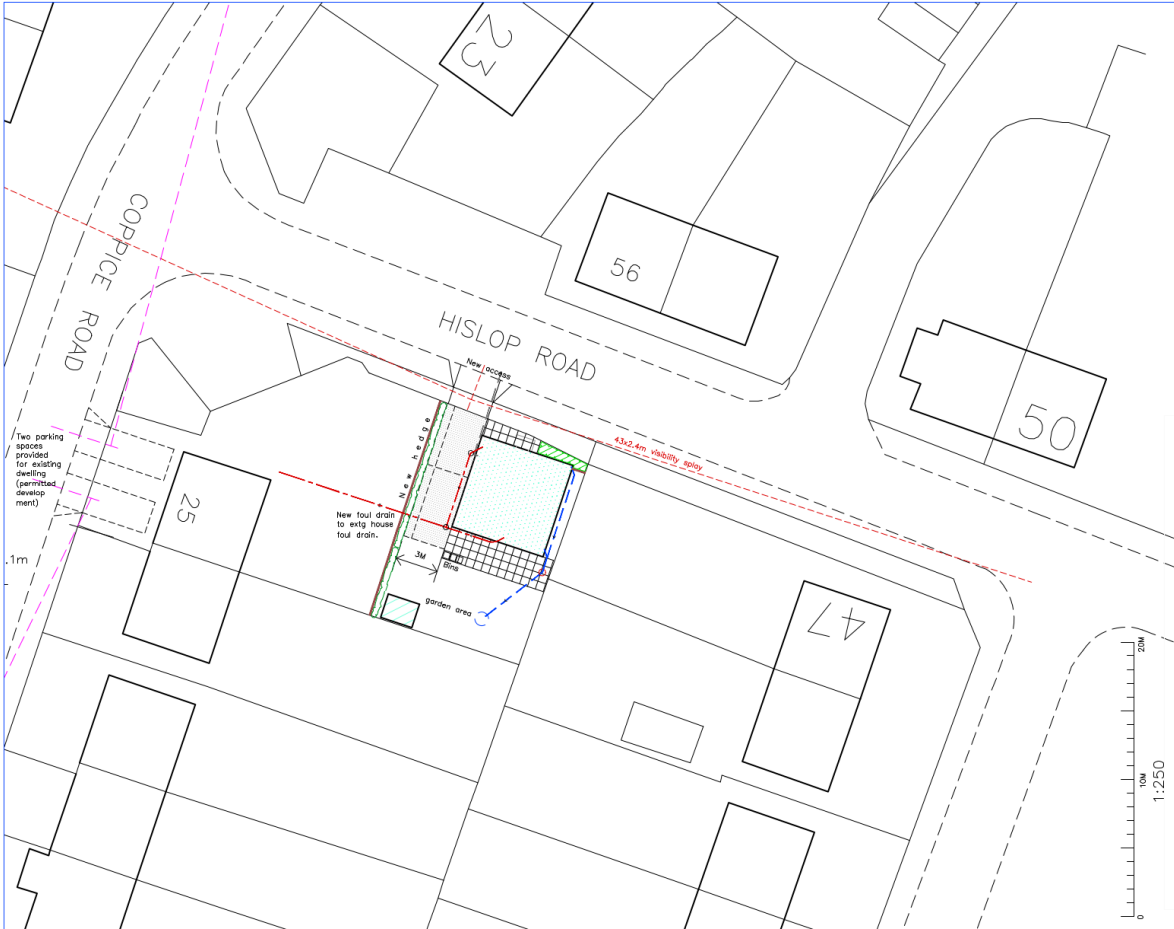
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project
RESIDENTIAL
DEVELOPMENT
Land adjacent to
25 Coppice Road
Pear Tree Estate
Rugeley WS15 1LT
client
MR. G. ELWELL
Feb. 2022

site plan 1:500



Proposed Site Plan



plotted at A3
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proposed site plan 1:250
p r o j e c t
RESIDENTIAL DEVELOPMENT
Land adjacent to 25 Coppice Road
Pear Tree Estate
Rugeley WS15 1LT
C L I E N T
MR.G.ELWELL
Feb 2022
d r no
2021:135:05A

REVISIONS
REV A
General revisions 05.10.2022

LEGEND

- 2.4x 1.8m timber bike shed
- ONE PARKING SPACES TO DETACHED HOUSE: 10 x 3m
For two parking spaces with porous tarmac drive
- 1.8m high close boarded fence + concrete posts
- 600 x 600mm Natural timber + gray coloured PCC concrete paving slabs to paths + patios.
- New low shrub planting
- Mains services
- New 100mm storm drains + soakway
- New 100mm foul drains + manholes

Floor Plans and Elevations

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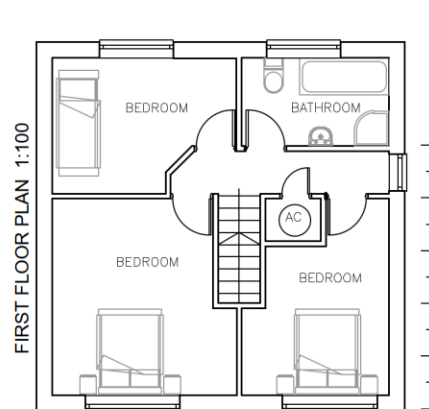
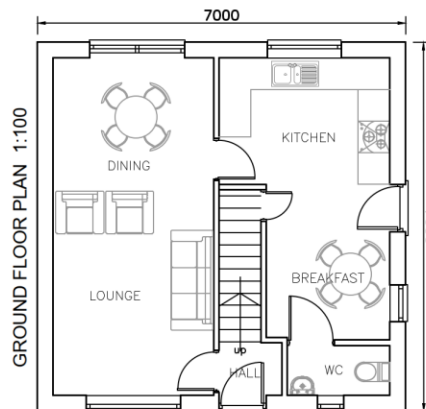
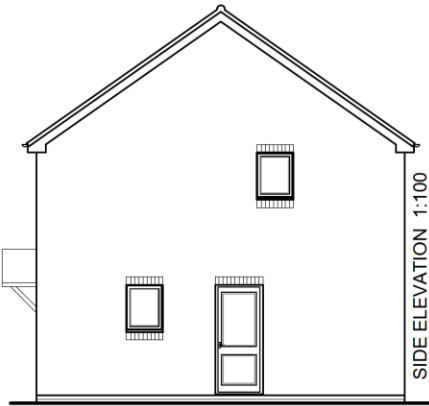
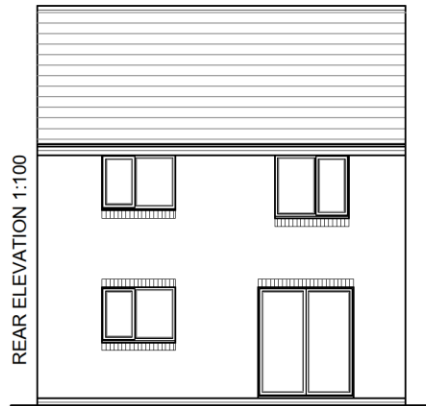
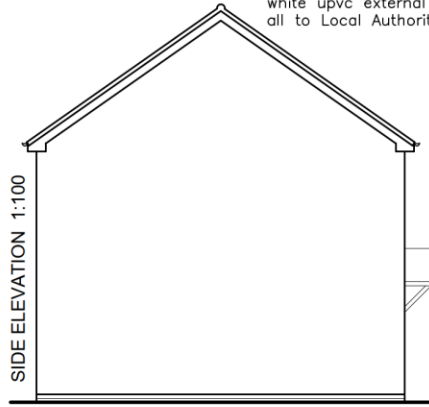
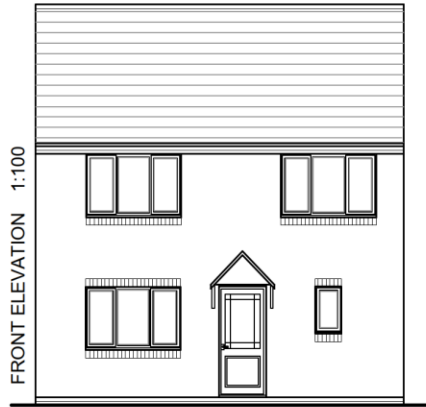
floor plans +
elevations 1:100
Plotted at A4

project
RESIDENTIAL
DEVELOPMENT
Land adjacent to
25 Coppice Road
Pear Tree Estate
Rugeley WS15 1LT

client
MR.G.ELWELL
Feb 2022
dr no
2021:135:06

FINISHES

Roof tiling, rendered wall +
white upvc external joinery
all to Local Authority approval



Contact Officer: Claire Faulkner
Telephone No:01543 464337

Planning Control Committee

8th June 2022

Application No: CH/22/0048

Received: 08-Feb-2022

Location: 25, Coppice Road, Rugeley, WS15 1LT

Parish: Rugeley CP

Ward: Hagley

Description: Proposed erection of 3 bedroomed detached dwelling

Application Type: Full Planning Application

RECOMMENDATION: Refuse for the following reasons:

- i. The proposed development, by reason of its siting, substandard rear garden depth of 8m and the resulting proximity to the gardens and dwellings of the existing properties would result in a cramped form of development, with high levels of overlooking and poor outlook and therefore fail to provide a high standard of residential amenity for the existing and future occupiers of the existing dwellings and the proposed dwellings contrary to Policy CP3 of the Local Plan and paragraph 130(f) of the National Planning Policy Framework.
- ii. The proposal would break the established layout of buildings and spaces and would appear as an anomaly in this location by reason of its significant scale together with its singular and isolated form in an undeveloped rear garden location. As such, the proposal would fail to reflect the continuity of the street and undeveloped spaces within Hislop Road and thus would not maintain the areas prevailing character by introducing a visually intrusive and discordant feature. As such, the

proposal is considered contrary to Cannock Chase Local Plan CP3 and paragraph 130 of the National Planning Policy Framework.

Reason for Refusal of Planning Permission

In accordance with paragraph (38) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development. However, in this instance the proposal fails to accord with the Local Plan and the National Planning Policy Framework.

Consultations and Publicity

Internal Consultations

Environmental Health

No objection subject to condition

Parks & Open Spaces

The site does not fall within any formal landscape designations or contain any Tree Preservation Orders.

Accuracy of Documents

The LR_Freehold layer contradicts the Location Plan red line boundary (circled). Detailed plans as per SPD Appendix D: Tree and Landscape Scheme Guidance have not been included as part of the submission. Documents required specifically for existing vegetation protection, porous paving construction & proposed soft & hard landscaping.

Comments on Proposal

Existing hedgerows need to be assessed as per BS5837:2012 requirements. Recommend their retention with the Root Protection Area protected by fencing for the construction period.

Plans show access is required over the existing grass verge. Recommend the whole grass verge adjacent to the property boundary is purchased to alleviate the next two points.

To maximise the ecological value of the development, it is recommended that inbuilt bird and/or bat boxes are included in the building construction and a hedgehog highway access points incorporated within all new sections of boundary fencing.

The site has seen a mature Beech & Conifer tree as well as mature hedgerow removed over the last 7 years including assumed hedgerow clearance for this development. Replacement planting will be required to compensate this loss.

Summary

Unable to review application appropriately due to:

- No detailed plans showing existing vegetation & it's protection as per BS5837:2012.
- No plans showing detailed hard and soft landscaping as per SPD requirements.

Clarification required on the following points:

- Land ownership in relation to red line boundary.
- Access to front door of property.
- Clarification on access for bins.

Recommendations

- Inbuilt bird nest and bat boxes to be installed as part of building. Hedgehog highways incorporated into proposed boundary fencing/gate (if present).
- Inclusion of gated access to secure rear garden/rear of property.
- Replacement planting required to compensate for loss.

Cil Officer

Based on the form submitted, if permission is granted the chargeable amount for this development would be £4,200.04. Please note this figure is index linked and will differ depending on the year permission is granted.

In order for us to ensure the CIL liability notice is issued to the correct party, could you please complete and submit the attached Assumption of Liability form. The party assuming liability will be responsible for paying CIL if permission is granted and implemented. This can be transferred at any point before the last CIL payment is made.

Development Plans and Policy Unit

The site does not fall within any designated areas shown on the Local Plan Policies Map.

The National Planning Policy Framework (NPPF) advises in Chapter 11: that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 122 identifies that planning policies and decisions should support development that makes efficient use of land.

At para 130 identifies factors which planning policies and decisions should ensure that developments achieve.

Development Plan

The development plan comprises the Cannock Chase Local Plan (Part 1) and the Staffordshire County Council Waste and Minerals Local Plan. The views of Staffordshire County Council as the waste and minerals authority should be considered, as necessary.

The Cannock Chase Local Plan (Part 1) was adopted in 2014. Policy CP3 of the Local Plan supports high standards of design.

The Council's Design SPD 2016 provides design guidance relating to new dwellings as well as providing a Character Area Description and District Profile for the application site which falls within the area of Hagley.

Further design considerations including spatial separation and garden space should refer to Appendix B of the Design SPD: Residential Development Guidelines.

With regards to the further detailed design of the scheme, regard should also be paid to Policy CP16 and the Parking Standards, Travel Plans and Development Contributions for Sustainable Transport SPD (2005) (contains parking standards).

Contributions

The proposal may be CIL liable – advice on liability should be sought from the Planning Obligations Officer.

Any site-specific requirements may be addressed via a Section 106/278 if required, in accordance with the Developer Contributions and Housing Choices SPD (2015) and in consultation with the relevant infrastructure provider.

Conclusion

It is considered that the proposed should respect the character and density of the area and promote the creation of better places in which to live and work.

External Consultations

Rugeley Town Council

Rugeley Town Council Planning Committee heard this application on the 16th March and agreed to recommend refusal of this application as it is considered that

overdevelopment of the area is putting pressure on the sewage system. Local residents are experiencing problems getting buildings insurance as raw sewage often comes back up the drain owing to insufficient capacity in the sewage system. Increasing the housing density on the estate is adding to the infrastructure problems for the existing residents. It was also felt that insufficient parking was available for the development.

Staffordshire County Highway Authority

No objection subject to conditions

Response to Publicity

The application has been advertised by site notice and neighbour letter. No letters of representation have been received.

Relevant Planning History

CH/21/0427 Erection of pair of semi-detached dwellings r/o 25 Coppice Road, Rugeley.
Withdrawn

1 Site and Surroundings

- 1.1 The application site relates to part of the rear garden of 25 Coppice Road which is located near the junction of Coppice Road and Hislop Road.
- 1.2 The application site itself, denoted by the red line boundary on the submitted plan, comprises of land to the rear of No. 25 and measures approx. 11m across the frontage with a depth of approx..16m at the deepest point. The application site is of a regular rectangular shape.
- 1.3 The application site contains a mature privet hedgerow along the southern boundary, fencing along the eastern boundary and an open entrance with low wall along the northern boundary adjoining Hislop Road, where a mixed mature hedgerow has recently been cleared. The garden area is currently full of rubble/arisings & enclosed with temporary fencing.
- 1.4 The wider site, including land edged blue on the submitted location plan, comprises of No. 25 Coppice Road which is a two-storey dwelling with private garden to the rear and frontage onto Coppice Road. The wider site is rectangular in shape with the exception of the chamfered corner at the junction of Coppice

Road and Hislop Road which is set behind three parking spaces accessed from the radius of the junction.

- 1.5 The wider site comprises a larger than average plot within the wider Pear Tree Estate and has a depth of approx..34m and a width of approx..18m. The side boundary runs along Hislop Road.
- 1.6 The ground level rises from west to east resulting in the application site being on higher ground than that of No.25 Coppice Road. A rise of approx..2m across the full site. On the opposite side of Hislop Road is a parking bay for 5 vehicles to park off road and a pair of semi-detached dwellings adjacent. To the east of the application site lies the rear gardens to 45 & 47 Hislop Road and to the south is the private garden to No.27 Coppice Road. The wider street scene comprises of similar design and style of dwellings finished with rendered walls and concrete tiled roofs.
- 1.7 The site is in part unallocated and undesignated in the Cannock Chase Local Plan (Part 1). The application site is not classified as a brownfield site being part of an existing curtilage of a dwelling house. The application site is also located within a Low Risk Development Boundary as defined by the Coal Authority and a Mineral Safeguarding Area.

2. Proposal

- 2.1 The applicant is seeking planning permission for residential development on land to the rear of 25 Coppice Road with access from Hislop Road.
- 2.2 The application proposes one detached three bedroomed, two storey dwelling, comprising a footprint of 7m wide and 7m deep. The proposed dwelling would be constructed to a height of 7.3m to the ridge (5m to the eaves). There would be parking located to the side of the dwelling for 2 vehicles accessed from Hislop Road. The proposed dwelling would be set back from the rear of the footpath by 2.5m. The rear garden would be 8 metres in depth with an area of approx..70m².
- 2.3 The existing dwelling at No.25 Coppice Road would retain a private garden to the side and rear comprising a combination of 180m². Two parking spaces would also be provided to the front of the existing dwelling accessed off Coppice Road.

- 2.4 The proposed dwellings would be finished in render walls and plain concrete tiled roofs to reflect the wider area. It is proposed for the parking spaces to be surfaced in porous tarmac, and rear boundaries delineated with 1.8 metre timber panel fencing.

3 Planning Policy

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014) and the Minerals Local Plan for Staffordshire (2015-2030).

3.3 Relevant Policies within the Local Plan Include:

- CP1 - Strategy – the Strategic Approach
- CP2 - Developer contributions for Infrastructure
- CP3 - Chase Shaping – Design
- CP6 - Housing Land
- CP7 - Housing Choice
- CP13 -Cannock Chase Special Area of Conservation (SAC)

3.3 The policies within the Minerals Plan are:

Policy 3.2 – Safeguarding Minerals

3.5 National Planning Policy Framework

- 3.6 Relevant paragraphs within the NPPF include paragraphs: -

| | |
|---------------------|--|
| 8: | Three dimensions of Sustainable Development |
| 11-14: | The Presumption in favour of Sustainable Development |
| 47-50: | Determining Applications |
| 60 – 67 | Delivering a sufficient supply of homes |
| 111 | Highway Safety |
| 119 | Making Effective Use of the Land |
| 126, 130, 131 &134: | Achieving Well-Designed Places |
| 159 | Flood Risk |
| 174, 182 | Habitats and Biodiversity |

| | |
|----------|-----------------------------------|
| 183 -188 | Ground Conditions & Contamination |
| 209 | Safeguarding Minerals |
| 218, 219 | Implementation |

3.9 Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.

4 Determining Issues

4.1 The determining issues for the proposed development include:-

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity.
- iv) Impact on highway safety.
- v) Impact on nature conservation
- vi) Drainage and flood risk
- vii) Mineral safeguarding
- viii) Waste and recycling facilities
- ix) Ground conditions and contamination

4.2 Principle of the Development

4.2.1 Both paragraph 11 of the NPPF (2021) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

4.2.2 The presumption in favour of sustainable development as set out in paragraph 11 of the NPPF states: -.

'For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay.

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless
 - (i) policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, habitats sites) provide a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.’

4.2.3 The starting point of the assessment is therefore whether the proposal is in accordance with the development Plan and whether that plan is up to date. In that respect it is noted that Policy CP1 of the Local Plan states: -

“In Cannock Chase District the focus of investment and regeneration will be in existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the District. The urban areas will accommodate most of the District’s new housing and employment development, distributed broadly in proportion to the existing scale of settlement.”

- 4.2.4 Other than the above general strategic approach there are no relevant policies within the Local Plan in respect to the approach to be taken with regard to the development of wind-fall sites. As such the proposal falls to be determined in accordance with the tests set out in subsection (d) (i) or (ii) of paragraph 11 of the NPPF show above.
- 4.2.5 With that in mind it is noted that the application site is not designated as Green Belt, AONB or as a SSSI or SAC, nor does it contain a listed building or conservation area or affect the setting of a designated heritage asset; nor is it located with flood zones 2 or 3. Therefore the proposal does not engage any policies in the Framework that protect areas or assets of particular importance. As such the proposal should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.2.6 In respect to the location of the site it is within a residential location in close proximity to Rugeley Town Centre, close to the schools and served by bus routes

giving access by public transport. As such the site has good access by public transport, walking and cycling to a range of goods and services to serve the day to day needs of the occupiers of the proposed development. The site is not located within either Flood Zone 2 or 3 and it is not designated as a statutory or non- statutory site for nature conservation nor is it located within a Conservation Area (CA) nor does it affect the setting of a designated or undesignated heritage asset.

4.2.7 It is therefore concluded that the proposal is acceptable in principle.

4.2.8 However, proposals that are acceptable in principle are still subject to all other policy tests. This report will now go on to consider the proposal in the slight of these policy tests.

4.3 Design and the Impact on the Character and Form of the Area

4.3.1 In this respect the layout plan demonstrates how the proposed dwelling would front Hislop Road being set back behind a minimal frontage with the private amenity space to the rear and parking provision to the side. The plan also shows how No.25 would retain garden areas to the side and rear and have parking spaces provided within the front of the site.

4.3.2 Within the wider street scene, properties are varied with some dwellings occupying modest plot sizes; with minimal frontages and long rear gardens. It is noted that there are no other dwellings along this side of Hislop Road that face onto Hislop Road, Nos. 25 Coppice Road and No.47 Hislop Road both have side elevations facing towards the highway.

4.3.3 The proposed layout would not be dissimilar to that of the relationship between Nos. 54 and 56 Hislop Road with No.23 Coppice Road (opposite the application site) however this is a long-established relationship and the dwellings are sited on larger plots and benefit from greater separation distances than those of the application site and surrounding properties.

4.3.4 In this instance the proposal would introduce a new isolated dwelling to the southern side of Hislop Road wherein no other dwelling is orientated to face Hislop Road. The proposed dwelling would be sited forward of the existing dwellings within Hislop Road behind a minimal frontage. In this respect the proposed development would be an anomaly in this location and would result in an uncomfortable form of development that would break the established layout of

buildings and spaces by virtue of its significant scale together with its singular and isolated form in an undeveloped rear garden location.

- 4.3.5 As such, the proposal would fail to reflect the continuity of the street and undeveloped spaces within Hislop Road and thus would not maintain the areas prevailing character or setting by introducing a visually intrusive development. As such, the proposal is considered contrary to Cannock Chase Local Plan CP3 and paragraph 130 of the National Planning Policy Framework and would result in an unacceptable detrimental impact to the character and form of the area.

4.4 Impact on Residential Amenity

- 4.4.1 In general the Design SPD sets out guidance for space about dwellings, stating that for normal two storey to two storey relationships there should be a minimum distance of 21.3m between principal elevations (front to front and rear to rear) and 12m between principal elevations and side elevations. Furthermore, the Design SPD sets out minimum rear garden areas, recommending 65sqm for 3 bed dwellings.
- 4.4.2 However, it should always be taken into account, that these distances and areas are in the nature of guidance. When applying such guidance consideration should be given to the angle of views, off-sets and changes in levels as well as the character of the area.
- 4.4.3 The submitted plans demonstrate the proposed dwelling would be orientated to face Hislop Road with private rear amenity space. The proposal would have views across Hislop Road to No.56 at a distance of approx..12.4m. The Design SPD requires a separation distance of 21.3m between principal windows in order to retain sufficient privacy and outlook. The guidance continues that this distance can be no less where the existing distance is less than 21.3m. In this instance, there is no other development along the southern side of Hislop Road that faces to the north. As such, the 12.4m proposed between the new dwelling and No.56 would fall well short of the requirement and as such would result in a significant detrimental impact to the occupiers of existing dwellings. It is also noted that No.56 is sited lower than the adjacent highway and lower than the application site. As such the proposed two storey dwelling would dominate the outlook for the occupiers of this existing dwelling.
- 4.4.4 The properties to the east comprise of 45 & 47 Hislop Road back onto the side boundary of the application site at a distance of approx.. 18m. These properties

are separated by their private gardens and are on slightly higher ground than that of the application site.

- 4.4.5 The dwelling to the south is No.27 Coppice Road and this has its private rear garden immediately adjacent the application site. The proposed garden would have a depth of 8m which would give significant rise to overlooking of the private rear garden of No.27 by the proposed first floor rear facing bedroom windows.
- 4.4.6 The dwelling at No.25 Coppice Road sits to the west of the application site and would retain garden space to the rear and side. The reduced depth of the rear garden to No.25 would measure 10m with a further 3m to the corner of the proposed dwelling, to accommodate the driveway. The proposed dwelling would be oblique to No.25 with the associated amenity space being to the rear. As such, the proposed two storey dwelling would not likely impede the Daylight / Outlook Standard as stipulated within the Design SPD.
- 4.4.7 In conclusion, given the above, the proposed development, by virtue of its siting, substandard rear garden depth of 8m and the resulting proximity to the gardens and dwellings of the existing properties would result in a cramped form of development, with high levels of overlooking and poor outlook and therefore fail to provide a high standard of residential amenity for the existing and future occupiers of the existing dwellings and the proposed dwellings contrary to Policy CP3 of the Local Plan and paragraph 130(f) of the National Planning Policy Framework
- 4.4.8 With regard to the proposed dwelling, the private garden space to the rear would measure 70m² with two parking spaces proposed. As such, it is considered that the proposal would provide a high quality of amenity for future occupiers of the proposed dwellings as required within the Design SPD.

4.5 Impact on Highway Safety

- 4.5.1 Paragraph 111 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.5.2 The proposal would provide two parking spaces for the new dwelling located to the side of the properties and a further 2 spaces to the front of No.25 Coppice

Road would also be provided. This is in accordance with the Council's Parking Standards.

- 4.5.3 Staffordshire County Highways Department was consulted on the proposal and raised no objections to the proposal in terms of highway safety subject to the recommended condition and informative.
- 4.5.4 As such, it is considered that there would not be an unacceptable impact on highway safety and that the residual cumulative impacts on the road network would not be severe and therefore the proposal would be in accordance with paragraph 111 of the NPPF.

4.6 Impact on Nature Conservation Interests

- 4.6.1 Policy and guidance in respect to development and nature conservation is provided by Policy CP12 of the Local Plan and paragraphs 174 and 180 of the NPPF.
- 4.6.2 Policy CP12 of the Local Plan states that the District's biodiversity and geodiversity assets will be protected, conserved and enhanced.
- 4.6.3 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts. In this instance, the proposed development would be CIL liable given the subsequent net increase in dwellings and the applicant has not sought an exemption.

Site Specific Considerations

- 4.6.6 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.
- 4.6.7 In order to enhance the nature conservation opportunities for the site, the proposal, could provide bird or bat boxes, hedgehog friendly fencing and

electrical vehicle charging points all of which could be secured via condition if the application is approved.

- 4.6.8 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. With the recommendation to include a bird box, the proposal would provide opportunities to enhance nature conservation. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

4.7 Drainage and Flood Risk

- 4.7.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps which is at least threat from flooding. Policy in respect to drainage and flood risk is provided by 159-169 of the NPPF.
- 4.7.3 Notwithstanding this, the comments from the Town Council are noted in terms of drainage. However, Severn Trent are the statutory body for planning applications however, as the proposal is for one dwelling they do not require consulting as this would not put greater demand on the STW/HD networks.
- 4.7.4 As such, the proposed development would accord with the requirements of paragraphs 159-169 of the NPPF and is acceptable in this instance.

4.8 Mineral Safeguarding

- 4.8.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 209, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.
- 4.8.2 Notwithstanding this, the advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application.
- 4.8.3 As such, the proposal would not prejudice the aims of the Minerals Local Plan.

4.9 Waste and Recycling Facilities

4.9.1 Policy CP16(1) (e) 'Climate Change and Sustainable Resource Use' of the Cannock Chase Local Plan states that development should contribute to national and local waste reduction and recycling targets according to the waste hierarchy'. One of the ways of achieving this is by ensuring development can be adequately serviced by waste collection services and that appropriate facilities are incorporated for bin collection points (where required).

4.9.2 In this respect, it is noted that the proposed dwelling would be sited within close proximity to the highway within a residential location where bins are already collected by the Local Authority. The bins would, in this instance, be collected from the pavement as per the existing situation for the neighbouring properties.

4.10. Ground Conditions and Contamination

4.10.1 The site is located in a general area in which Coal Authority consider to be a development low risk area. As such, the Coal Authority does not require consultation on the application and it is advised that any risk can be managed by the attachment of an advisory note to any permission granted.

4.10.2 The Council's Environmental Health Officers were consulted on the application and raised no objection subject to the application subject to conditions recommended.

4.11 Affordable Housing

4.11.1 Under Policy CP2 the proposal would be required to provide a contribution towards affordable housing. However, paragraph 64 of the NPPF states that the 'provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)'.

4.11.2 As such, it is considered on balance that the proposal is acceptable without a contribution towards affordable housing.

5.0 Human Rights Act 1998 and Equality Act 2010

Human Rights Act 1998

5.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to refuse accords with the policies

of the adopted Local Plan and the applicant has the right of appeal against this decision.

Equality Act 2010

- 5.2 It is acknowledged that age, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation are protected characteristics under the Equality Act 2010.

By virtue of Section 149 of that Act in exercising its planning functions the Council must have due regard to the need to:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

It is therefore acknowledged that the Council needs to have due regard to the effect of its decision on persons with protected characteristics mentioned.

Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equality Act.

6.0 Conclusion

- 6.1 The proposed development, for the reasons set out above, is not acceptable and fails to accord with Local Plan Policy CP3, the Design SPD and the requirements of the NPPF and would result in an adverse impact on the character of the area and fail to provide a high standard of amenity for all existing and future users of the proposed dwelling and those of existing properties. Therefore, refusal is recommended for the reasons set out above.